

This Page Is Inserted by IFW Operations  
and is not a part of the Official Record

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning documents *will not* correct images,  
please do not report the images to the  
Image Problem Mailbox.**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant	:	Werner, et al.
Appl. No.	:	10/035,836
Filed	:	December 21, 2001
For	:	SURFACE ASSEMBLY FOR IMMOBILIZING DNA CAPTURE PROBES AND BEAD-BASED ASSAY INCLUDING OPTICAL BIO-DISCS AND METHODS RELATING THERETO
Examiner	:	B. J. Forman
Group Art Unit	:	1634

**STATEMENT UNDER 37 C.F.R. § 3.73(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Nagaoka & Co., LTD., a Japanese Corporation, states that it is an assignee of one half of the entire right, title and interest in the above-referenced patent application by virtue of a chain of title from the inventors of the patent application identified above, to the current assignee as shown below:

1. All right, title, and interest was assigned from the inventors, Martina E. Werner, Ramon M. Valencia, Jorma A. Virtanen and Jim V. Zoval, to Burstein Technologies, Inc. The document was recorded in the United States Patent and Trademark Office at Reel 012994, Frame 0597.
2. An undivided one half of the entire right, title, and interest was assigned from Burstein Technologies, Inc. to Nagaoka & Co., LTD. The document was recorded in the United States Patent and Trademark Office at Reel 014192, Frame 0310.

Appl. No. : 10/035,836  
Filed : December 21, 2001

The undersigned, whose title is supplied below, is authorized to act on behalf of the Assignees. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

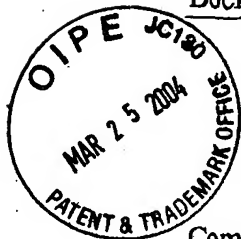
KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: March 22, 2004

By: 

Michael L. Fuller  
Registration No. 36,516  
Attorney of Record  
Customer No. 20,995  
(619) 235-8550

S:\DOCS\RMJ\RMJ-3059.DOC:gem031804

**POWER OF ATTORNEY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is an empowered representative of a partial Assignee having a right, title and interest in an application or patent. The Assignee hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, Customer No. 20,995, as attorneys and agents to represent the Assignee before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned in whole or in part to the Assignee according to the USPTO assignment records or assignment documents supplied with an accompanying Statement Under 37 CFR 3.73(b). This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 CFR § 3.71.

A Statement Under 37 CFR 3.73(b), signed by a registrant of Knobbe, Martens, Olson & Bear, LLP, is attached setting forth a full chain of title for the subject application partially owned by the Assignee named below.

Please change the correspondence address for the above-identified application to Customer No. 20995.

By: H. Kitamura

Date: March 2nd, 2004

Name: HIDEO KITAMURA

Title: EXECUTIVE MANAGING DIRECTOR

Assignee: NAGAOKA & CO., LTD.  
7-18, Nishinomiyahama 4-Chome, Nishinomiya-Shi, Hyogo,  
Japan 662-0934

**POWER OF ATTORNEY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is an empowered representative of a partial Assignee having a right, title and interest in an application or patent. As defined by 37 C.F.R. § 3.71(b)(2), said partial Assignee is of record and obtains less than the entire right, title and interest in the application or patent referred to in the attached Statement Under 37 C.F.R. § 3.73(b).

By this paper, the Assignee is revoking any previous powers of attorney granted by the Assignee and granting power of attorney to Knobbe, Martens, Olson & Bear, LLP for the purposes of continued prosecution of an application or patent co-owned by an individual or company under the representation of Knobbe, Martens, Olson & Bear, LLP. This paper does not serve as an agreement or acknowledgement of legal representation by Knobbe, Martens, Olson & Bear, LLP. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 CFR § 3.71.

A Statement Under 37 CFR 3.73(b), signed by a registrant of Knobbe, Martens, Olson & Bear, LLP, is attached setting forth a full chain of title for the subject application owned by the Assignee named below.

By: 

Date: 

Name: Richard Burstein

Title: CEO

Assignee: BURSTEIN TECHNOLOGIES, INC.  
163 West Technology Dr., Ste. 200  
Irvine, California 92618